



Amy G. Rabinowitz
Counsel

February 3, 2004

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station
Boston, MA 02110

Re: D.T.E. 03-121

Dear Secretary Cottrell:

I am enclosing an original and five copies of Massachusetts Electric Company's Petition for Leave to Intervene in the above-captioned proceeding. Thank you very much for your time and attention to this matter.

Very truly yours,

Amy G. Rabinowitz

Cc William H. Stevens, Jr., Hearing Officer
Colleen McConnell
Joseph W. Rogers
David S. Rosenzweig

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Boston Edison Company, Cambridge)	
Electric Light Company, Commonwealth)	D.T.E. 03-121
Electric Company d/b/a NSTAR Electric)	
)	

Massachusetts Electric Company (“MEC” or the “Company”) hereby submits this petition to the Department of Telecommunications and Energy (“Department”) for leave to intervene as a party in the above-captioned proceeding, pursuant to 220 CMR 1.03(1)(e). The Company states the following in support of its petition:

1. MEC is a Massachusetts distribution company subject to the regulatory jurisdiction of the Department with a principle place of business at 55 Bearfoot Road, Northborough, Massachusetts 01532.
2. MEC provides electricity service to customers in 168 cities and towns in Massachusetts.
3. MEC has customers with their own on-site, self generation facilities.
4. On January 20, 2004, the Department issued a Notice of Public Hearing and Procedural Conference (“Notice”) stating that any person wishing to participate in the above-captioned proceeding must file a petition with the Department by February 3, 2004.
5. In conducting adjudicatory hearings, the Department may “allow any person showing that he may be substantially and specifically affected by the proceeding to intervene as a party in the whole or any portion of the proceeding, and allow any other

interested person to participate by presentation of argument orally or in writing, or for any other limited purpose” as the Department may order. Mass. Gen. Laws, c. 30A, § 10; see also 220 CMR 1.03(1)(b).

6. MEC wishes to intervene in this proceeding because it will address the appropriate method for the calculation of standby or back-up rates for customers who have their own on-site, self-generation facilities.

7. In the Notice, the Department stated that it “will investigate, among other things, whether: . . . (2) *distribution companies* should recover their costs through fixed or variable charges; (3) standby rates should reflect embedded and/or incremental costs; and (4) *distribution companies* should offer firm and non-firm standby service.” (emphasis supplied)

8. Therefore, the decisions that the Department will make in this proceeding will impact whether MEC, a distribution company, should recover its costs for standby rates through fixed or variable charges, whether MEC’s standby rates should reflect embedded and/or incremental costs, and whether MEC should offer firm and non-firm standby service. Accordingly, MEC will be substantially and specifically affected by this proceeding.

9. Department precedent supports the participation of regulated utilities in regulatory proceedings of other utilities when important policy matters of significant precedential value are under review. *Massachusetts Electric Company*, D.T.E. 98-69 (review of alternative streetlighting tariff); *Boston Edison Company*, D.T.E. 97-86 (sale of electric generating plants); *Massachusetts Electric Company*, D.P.U. 96-25 (review of electric restructuring settlement); *Boston Gas Company*, D.P.U. 96-50 (review of performance-

based ratemaking proposals); *Cambridge Electric Light Company/Commonwealth Electric Company*, D.P.U. 91-234-A (integrated resource management proceeding); *NYNEX*, D.P.U. 94-50 (alternative regulation/performance-based regulation plan).

10. Given its position as a regulated distribution company, MEC has information regarding the design and implementation of standby rates that will aid the Department in its evaluation of this proceeding.

11. MEC requests that all notices, testimony, pleadings and correspondence pertaining to this proceeding be directed to the persons identified below:

Amy G. Rabinowitz
Counsel
Massachusetts Electric Company
25 Research Drive
Westboro, MA 01582
amy.rabinowitz@us.ngrid.com

WHEREFORE, MEC respectfully requests that the Department allow its petition for leave to intervene in this proceeding.

Respectfully submitted,

MASSACHUSETTS ELECTRIC COMPANY
By its attorney,

Amy G. Rabinowitz
25 Research Drive
Westboro, MA 01582

Dated: February 3, 2004

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Boston Edison Company, Cambridge Electric Light Company, Commonwealth Electric Company d/b/a NSTAR Electric)))))	D.T.E. 03-121
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CERTIFICATE OF SERVICE

I certify that on this day, I have served a copy of the Petition for Leave to Intervene of Massachusetts Electric Company on David S. Rosenzweig, Attorney for NSTAR Electric, Keegan, Werlin & Pabian, LLP, 265 Franklin Street, Boston, MA 02110-3113, and Colleen McConnell and Joseph W. Rogers, Assistant Attorneys General, Office of the Attorney General, Utilities Division, Public Protection Bureau, 200 Portland Street, Boston, MA 02114 by first-class and electronic mail.

Amy G. Rabinowitz

Dated: February 3, 2004